

To: Frank Wang[fwang@biomedomics.com]
Cc: Dave Hickey[Dave_Hickey@bd.com]
From: Troy Hopps[troy_hopps@bd.com]
Sent: Sun 6/7/2020 11:00:02 AM (UTC-04:00)
Subject: RE: 1.4 M Test shipping Plan

Frank, thanks for the call yesterday to discuss the distribution agreement and align on some additional terms as a result of expanding our distribution rights to ROW territories. Based on our previous calls, you will provide both the current distribution agreements you already have established with other distributors as well as a list of countries where the product is registered for IVD use. This will help ensure that we are working together and not cannibalizing your current distribution partnership. BD will also help leverage our regulatory partners in these countries to support registrations.

Based on our discussion, we have agreed on the following:

- Expand the maximum monthly volumes that BD can purchase from Biomedomics from 2.0M units to 3.5M units
- Once the initial shipment of 1.4M units is delivered to North Carolina by Biomedomics, BD will purchase all future product Ex Works Medomics China for distribution to its territories. Biomedomics will ensure that the QC release of the product at their manufacturing plant in China meets all the quality expectations as outlined in our quality agreement. You mentioned that your manufacturing plant will receive ISO certification very soon.
- We also discussed having one price for the product since multiple prices are difficult to manage for the both of us (accounting/audits, etc) and that we would retain the clause in the agreement to review pricing on a regular basis to ensure we are capturing any increase/decrease in material costs. Based on the pricing already agreed to for both US (\$4.00) and outside the US (\$6.50), BD believes that the price we would pay for product should not be more than \$5.25/test. This price incorporates the increased pricing Biomedomics has incurred in raw material costs as well as the incremental volume for BD. **Can you please confirm that this price is acceptable so that we may incorporate into the agreement.**

From the beginning of this relationship, we have been very supportive to work with Biomedomics to help bring this product to market here in the US. BD has taken on the responsibility with the support of Biomedomics of all the clinical studies required to ensure we meet the FDA guidelines for the EUA. BD will also support the finger stick study with either MGH or another collaborator to ensure we have this designation for your product. We have leveraged our resources within Public Policy, Medical Affairs as well as Regulatory Affairs to support approval of the product as well as address any import/export issues we face either in China or the US. That support will continue as we expand distribution into other markets for regulatory approvals and clinical studies. I would like to have these additional terms incorporated into the distribution agreement so that I may have it finalized by our legal department and sent to you for review early this week.

Thanks Frank for the collaboration and we look forward to obtaining the positive NCI results this week to enable the EUA approval so that we may move forward.

Best regards,

Troy



Troy Hopps

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From: Frank Wang [mailto:fwang@biomedomics.com]
Sent: Monday, May 25, 2020 2:29 PM
To: Troy Hopps <troy_hopps@bd.com>
Cc: Brad Heidinger <bheidinger@biomedomics.com>; agunn <agunn@biomedomics.com>
Subject: 1.4 M Test shipping Plan

EXTERNAL EMAIL - Use caution opening attachments and links.

Hi, Troy:

I worked with Brad and Andy to make a drafted Shipping schedule plan.

Please see attached word and excel file for more details.

The schedule is also based on the information from our Chinese company's current process.

We will continue to optimize the plan when we find more time can be saved.

Thanks and talk to you later.

**Frank Wang, Ph.D.
CEO**



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